

CEPPS/IRI QUARTERLY REPORT: January 1, 2004 – March 31, 2004
SOMALILAND: EMPOWERING THE PARTIES
USAID Cooperative Agreement No. 623-G-00-04-00077-00

September 20, 2004 – September 15, 2005
Total Budget: \$200,000 Expenses to Date: \$200,840

I. SUMMARY

As Somaliland prepares for national legislative elections, it approaches a defining moment. If these elections are carried out successfully, then the fledgling nation will have achieved a feat without equal in its region: it will have a democratically elected president, democratically elected municipal governments, a constitution that was overwhelmingly approved by popular referendum and, finally, a parliament that is directly elected and accountable to the people.

To ensure truly competitive elections, the region's young political organizations will need assistance in developing the capacity to effectively represent citizens' views, support candidates competing for office, ensure that elections are fairly conducted, and participate in post-election political processes. The organizations' successful execution of these tasks will be crucial to legitimizing the elections.

The upcoming elections and post-election political processes hold great importance as to the stability in Somaliland. Given the critical nature of these events and realizing that Somaliland's political organizations lack the crucial experience necessary for their growth, IRI's political party empowerment program in Somaliland aims to do the following:

- Empower Somaliland election candidates to effectively conduct voter-oriented democratic campaigns critical to their successful participation in the upcoming legislative elections.
- Empower Somaliland political parties to effectively conduct activities critical to their successful participation in the political process following elections.

II. BACKGROUND

Somaliland's current unelected parliament has been aware for two years that its mandate will expire in May 2005. Despite the election date of March 29th, 2005 set by President Riyale in mid-2004, as of the beginning of this quarter, the parliament had still not passed an election law

allowing preparations to begin for parliamentary elections. Since a nationwide election in Somaliland requires at a minimum 4-6 months of preparation, stakeholders across the spectrum in Somaliland were dismayed by this inaction, and lobbied vigorously for legislation to be passed in time to hold the election as scheduled.

In mid-January, the House finally passed an election bill, but this breakthrough did little to alleviate uncertainty about the prospects for timely elections. The bill as passed contained clauses requiring that a nationwide voter registration exercise be completed before voting is held, and that voting be held in every part of Somaliland. Neither of these clauses is practicable at this time in Somaliland, and neither requirement was in place for Somaliland's two previous elections (municipal council elections in 2002 and the presidential election in 2003). There has never been a reliable census in Somaliland, and citizens hold no common form of identification. Consequently, any credible voter registration exercise would take months if not years to complete. Furthermore, the occupation of certain areas of eastern Somaliland by Puntland militias makes it virtually impossible for voting to be held in those areas. Therefore, the election bill had the effect of delaying parliamentary elections indefinitely without providing any source of legitimacy for the current lame-duck unelected parliament.

When IRI staff visited Somaliland's capitol, Hargeisa, in late January to conduct a USDOS-sponsored program with women's organizations, they also took the time to conduct meetings with leaders of all three political parties, parliament, the National Electoral Commission (NEC), and various civil society groups to discuss the state of affairs in regard to parliamentary elections. IRI staff also attended a public forum where the then-recently passed election bill was debated.

All of the individuals with whom IRI met emphasized their desire to see elections held at the earliest possible date, and leaders of all three parties expressed their disappointment that the much-overdue election bill would make it impossible to hold elections as scheduled. At the public forum, members of parliament who had voted for the bill argued that the parliamentary elections could not be legitimate without a credible list of registered voters, and that the parliament could not represent the people if elections were not held in all parts of Somaliland.

After the parliamentarians had been given the chance to defend themselves, attendees from civil society, the professional sector, political parties, government, and other sectors of Somaliland rose to roundly criticize the bill. These attendees argued that the parliament had put Somaliland on a path to political and constitutional crisis, and that an imperfect election such as the two held previously was vastly preferable to an indefinitely delayed election. Most speakers at the forum and in meetings with IRI expressed hope that the bill would be rejected by the *guurti* (House of Elders; Somaliland's upper house of parliament) or vetoed by President Riyale. Opposition party leaders promised massive demonstrations in the streets of Hargeisa if the election was not conducted as scheduled.

However, despite intense lobbying by political parties and civil society, in mid-February the *guurti* overwhelmingly approved the election bill passed by the House, forwarding it to the

president for his signature. Although the veto-proof two-thirds majorities supporting the bill in both houses took away the president's power to reject the legislation, President Riyale exercised his one remaining option short of dissolving parliament: he forwarded the bill to the Constitutional Court to rule on its constitutionality.

In early March, the court broke the political stalemate by declaring the clauses in question to be unconstitutional. The bill was returned to the House, which was instructed to pass a new bill that did not include these clauses. Somaliland's leading political figures entered discussions aimed at reaching consensus on the new law and a new election date.

The most contentious issue in these discussions was the distribution of parliamentary seats between Somaliland's six regions. The political parties quickly reached an agreement that for this election, in the absence of reliable census information, seat distribution would mirror that of Somaliland's last parliamentary elections, which were held in 1960; that distribution had been based on an agreement among clans.

However, President Riyale dissented from this agreement, reportedly under pressure from clan elders in his home region of Awdal who felt that the region was underrepresented in the 1960 dispensation. Riyale argued for an alternative arrangement by which seats would be distributed according to voter turnout in each region. Critics of this idea argued that it would provide a strong incentive for voter fraud aimed at artificially inflating turnout in individual regions. As of the end of this quarter, the two sides were still trying to reach agreement on this issue.

No election was, therefore, held on March 29th, but, fortunately, Somalilanders have not resorted to civil unrest as a result of this election delay. All political factions apparently recognize that most obstacles have been removed to holding an election sometime in 2005, but that the election will need to be delayed to allow time for consensus-building and preparation by the NEC and political parties.

Successful elections in 2005 will not only complete the Somaliland government's formal transition to an elective democracy, but will also affirm the region's continued conviction for democratic governance, and serve as a model for the conflict-ridden Horn of Africa. Conversely, failed elections may derail that troubled region's most promising democratic effort and exacerbate an already grim outlook for security and stability in the Horn.

III. PROGRAM ACTIVITIES

In response to political events that threatened an indefinite delay for Somaliland's parliamentary elections - originally scheduled for March 29, 2005 - IRI decided to temporarily suspend its activities in Somaliland this quarter.

Because of the uncertainty currently surrounding the election process in Somaliland, IRI decided in January to suspend its campaign trainings for political parties until the political stalemate is

broken, election legislation is passed and a new, more reliable election date is set. In order to remain informed about political developments as they occur, IRI staff has been in touch with several inside sources in Hargeisa at minimum on a weekly basis. IRI is confident that most of the major obstacles to the election process have been overcome and that preparations for the election, as well as IRI's activities in Somaliland, should be able to begin afresh in the coming quarter.

IV. RESULTS AND ACCOMPLISHMENTS

Objective: Empower Somaliland election candidates to effectively conduct voter-oriented democratic campaigns critical to their successful participation in the upcoming legislative elections.

Since by the end of this quarter the electoral law governing the upcoming elections had not yet been passed by Somaliland's parliament and signed by President Riyale, the framework for choosing candidates does not yet exist, and none of the three parties has begun the process of identifying their standard-bearers.

Objective: Empower Somaliland political parties to effectively conduct activities critical to their successful participation in the political process following elections.

No results to report at this time.

V. EVALUATION

Having completed only one of its four program activities with Somaliland's three main political parties (December of 2004, Hargeisa) thus far, IRI still feels as though there are significant gains to be made in working to achieve its objectives. The Institute is hopeful that the coming quarter will give IRI the opportunity to hold more trainings to empower Somaliland's parties to conduct voter-oriented democratic campaigns and conduct effective election-related activities prior to their legislative elections.

VI. FUTURE ACTIVITIES

IRI plans to hold three additional workshops with the political parties in Somaliland between now and the elections, which will hopefully be held later this year. The next workshop, on campaign communication, will be held as soon as the electoral framework is solidly in place and the parties are ready to move forward with campaign preparation.